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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**IN RE GOOGLE PLAY STORE
 ANTITRUST LITIGATION**

THIS DOCUMENT RELATES TO:

Epic Games Inc. v. Google LLC et al.,
 Case No. 3:20-cv-05671-JD

*In re Google Play Consumer Antitrust
 Litigation*, Case No. 3:20-cv-05761-JD

State of Utah et al. v. Google LLC et al.,
 Case No. 3:21-cv-05227-JD

*Match Group, LLC et al. v. Google LLC et
 al.*,
 Case No. 3:22-cv-02746-JD

Case No. 3:21-md-02981-JD

**JOINT STIPULATION REGARDING
 REMOTE TESTIMONY AT JANUARY
 12, 2023 EVIDENTIARY HEARING**

Judge: Hon. James Donato

1 Plaintiff Epic Games, Inc., Plaintiffs Match Group LLC, et al., Consumer Plaintiffs, State
2 Attorneys General Plaintiffs, and Defendants Google LLC et al. (“Google”), by and through their
3 undersigned counsel, jointly submit this stipulation to permit Mr. Tian Lim, former Vice
4 President of Engineering, Product and UX for Google Play, to testify remotely at the upcoming
5 January 12, 2023 evidentiary hearing.

6 ***

7 WHEREAS, on November 29, 2022, the Court entered an order setting an evidentiary
8 hearing for January 12, 2023 at 1:30 p.m. regarding Google’s chat data (the “Hearing”). The
9 Court directed the parties to file a joint proposed witness list with testimony topics by
10 January 5, 2023. (MDL Dkt. No. 384.)

11 WHEREAS, on December 13, 2022, the parties exchanged initial witness lists. Plaintiffs
12 disclosed to Google that they intended to call Mr. Tian Lim to testify regarding the use of Google
13 Chat and preservation of Google Chats.

14 WHEREAS, as of January 10, 2023, Mr. Lim is no longer employed by Google.

15 WHEREAS, Mr. Lim has been traveling since January 6 before beginning his next job,
16 but is willing to testify live at the Hearing via remote connection.

17 WHEREAS, Plaintiffs contend that Mr. Lim’s presence at the Hearing would materially
18 aid the Court in resolving the issues to be presented at the Hearing, including “the use and
19 operation of the electronic chat system, including storage and deletion policies, guidelines for
20 chat content, and examples of typical chat communications” (MDL Dkt. No. 375).

21 WHEREAS, Federal Rule of Civil Procedure 43(a) states that “[f]or good cause in
22 compelling circumstances and with appropriate safeguards, the court may permit testimony in
23 open court by contemporaneous transmission from a different location.” Fed. R. Civ. P. 43(a).

1 WHEREAS, the parties would ensure appropriate safeguards are in place in compliance
2 with Federal Rule of Civil Procedure 43(a) should Mr. Lim be permitted to testify remotely.

3 THEREFORE, the parties hereby stipulate and agree that Mr. Lim should be permitted to
4 testify at the Hearing remotely.

5
6
7 Dated: January 10, 2023

CRAVATH, SWAINE & MOORE LLP

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12
13 FAEGRE DRINKER BIDDLE & REATH LLP

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14 Respectfully submitted,

15 By: /s/ Lauren A. Moskowitz

16 Lauren A. Moskowitz

17 *Counsel for Plaintiff Epic Games, Inc.*

18 Dated: January 10, 2023

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20 KAPLAN FOX & KILSHEIMER LLP

Hae Sung Nam

Respectfully submitted,

By: /s/ Karma M. Giulianelli

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*Co-Lead Counsel for the Proposed Class in In
re Google Play Consumer Antitrust Litigation*

Dated: January 10, 2023

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Elizabeth C. Pritzker

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*Liaison Counsel for the Proposed Class in In re
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Dated: January 10, 2023

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Lauren Weinstein

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Counsel for the Plaintiff States

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Dated: January 10, 2023

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E-FILING ATTESTATION

I, Lauren A. Moskowitz, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

/s/ Lauren A. Moskowitz
Lauren A. Moskowitz